

Guidelines for School-Sponsored Structured Learning Experiences and Senior Experiences

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New Jersey Department of Education (NJDOE) Administrative Code:

- **N.J.A.C. 6A:8 Standards And Assessment For Student Achievement**
(Including Amendments Adopted October 2, 2002)
(<http://www.nj.gov/njded/code/title6a/chap8/index.html>)
- **N.J.A.C. 6A:19 Vocational-Technical Education Programs And Standards**
(<http://www.nj.gov/njded/code/title6a/chap19/index.html>)
- **N.J.A.C. 6A:14 Special Education**
(<http://www.nj.gov/njded/code/title6a/chap14/index.html#s1>)
- **New Jersey Curriculum Frameworks and Core Curriculum Content Standards**
(<http://www.state.nj.us/njded/frameworks/>)

New Jersey Department of Labor (NJDOL) Statutes:

- **N.J.S.A. Chapter 2 & Chapter 58, Child Labor Law**
(<http://www.state.nj.us/labor/lssc/childlabor.html>)
- **N.J.A.C. Chapter 12:56 et seq., Wage & Hour Law**
(<http://www.state.nj.us/labor/lssc/wagehour.html#12:56-2.1>)
- **N.J.S.A. Chapter 34:11-56a et seq, Wage & Hour Law**
(<http://www.state.nj.us/labor/lssc/wagehour.html>)

Additional Citations:

- **Carl D. Perkins Vocational and Technical Act of 1998**, (P.L. 105-332)
(http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=105_cong_public_laws&docid=f:publ332.105)
- **Fair Labor Standards Act of 1938, As Amended**, (P.L. 101-157)
(<http://www.dol.gov/esa/regs/statutes/whd/0002.fair.pdf>)
- **Fair Labor Standards Act**, (29 CFR 533.106), Chapter 5, Volunteers
(http://www.dol.gov/dol/allcfr/Title_29/Part_553/Subpart_B.htm)
- **Fair Labor Standards Act**, Compliance Assistance
(<http://www.dol.gov/dol/compliance/comp-flsa.htm>)
- **Individuals With Disabilities In Education Act**
(http://www.ed.gov/offices/OSERS/Policy/IDEA/the_law.html)
- **Job Training Partnership Act**, (29 U.S.C. 1503 (5)) Section 4,
(http://www.dol.gov/dol/allcfr/ETA/Title_20/Part_626/toc.htm)

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- **National Apprenticeship Act**, (29 CFR Title 29), Standards of Apprenticeship USDOL (http://www.dol.gov/dol/allcfr/ETA/Title_29/Part_29/toc.htm)
- **National and Community Service Act of 1990**, (P.L. 106-170), [As amended through December 17, 1999] (http://www.nationalservice.org/resources/cross/cnsc_statute.pdf)
- **School-to-Work Opportunities Act of 1994**, (P.L. 103-239), Section 4 and School-to-Work Opportunities: Glossary of Terms, June 1995. (<http://www.fessler.com/SBE/act.htm>)
- **Social Security Administration**, Employment Support for People With Disabilities (<http://www.ssa.gov/work/index.html>)
- **United States Department of Education**, Office of Vocational and Adult Education Career and Technical Education (USED-OVAE) (<http://www.ed.gov/offices/OVAE/CTE/index.html>)
- **United States Department of Labor E-law Advisors** (<http://www.dol.gov/elaws/>)
- **United States Departments of Labor and Education Statement of Principle (1992)** for the continued development and implementation of individual education programs, in accordance with the Individuals with Disabilities Education Act (IDEA) that will facilitate the transition of students with disabilities from school to employment within their communities. (<http://www.nasdse.org/satellite02/DOL-StatementOfUnderstanding.pdf>)

Additional References:

- **Apprenticeship in New Jersey**, Handbook (2003), NJDOE
- **Career and Technical Student Organizations**, United States Department of Education, Office of Vocational and Adult Education (<http://www.ed.gov/about/offices/list/ovae/pi/cte/vso.html>)
- **Guidelines for Community-Based Instruction** by Project Sight, funded by the United States Department of Education (<http://www.scdcdt.org/LABOR%20LAWS%20FACT%20SHEET.pdf>)
- **Meeting the Needs of Youth with Disabilities: Handbook for Implementing Community-based Vocational Education Programs According to the Fair Labor Standards Act** by The Study Group, Inc., SSI Work Incentives and Transitioning Youth Project, and National Transition Network (<http://ici2.umn.edu/ntn/pub/hdbk/default.html>)

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- **National Commission on the High School Senior Year**
(<http://www.woodrow.org/CommissionOnTheSeniorYear/>)
- **New Jersey Department of Education**
(<http://www.state.nj.us/education/>)
- **New Jersey Department of Labor**
(<http://www.state.nj.us/labor>)
- **States' Career Clusters**
(<http://www.careerclusters.org/>)
- **Understanding Options for Career Exploration** (August 2001)
New Jersey Department of Education Publications and Distribution Services
(<http://www.state.nj.us/njded/genfo/publist.htm>)
- **What Is Transition from School to Adult Life? A Resource Manual for Transition Services for Youth with Disabilities in New Jersey** New Jersey Department of Education Publications and Distribution Services
(<http://www.state.nj.us/njded/genfo/publist.pdf>)

NOTE: In the following section, language shown in [brackets] and in *italics* represents clarifications for the purpose of structured learning experiences and this language is not part of the definition in the referenced statute, code or advisories.

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II. TERMS AND DEFINITIONS

1. **12th Grade Option** means a 12th grade pilot program for all high school seniors that will increase their options to begin preparing for a college education or a career following graduation. Pilot programs follow two basic standards. First, participating students must pass the High School Proficiency Assessment (HSPA). Second, the programs offered must provide multiple and diverse paths leading to success for all students. 12th grade options are coordinated through the Department of Education regional centers. Options include, but are not limited to, the following:
 - (1) Dual enrollment in college courses (both in the high school and at the college);
 - (2) Participation in structured learning experiences;
 - (3) Enrollment in technical courses (in the high school, college and proprietary schools);
 - (4) Participation in mentorships with teachers at grade schools;
 - (5) Study abroad offered through partnerships with out-of-state/county colleges through articulated agreements through exchange programs or with nationally or regionally accredited institutions of higher learning; and
 - (6) Capstone projects involved with in-depth research projects designed for mastery learning culminating with a detailed performance assessment and exhibition that demonstrates research, learning, and involvement.
2. **Adult Volunteer** (P.L. 106-170, National and Community Service Act) means an individual, such as an older adult, an individual with a disability, a parent, or an employee of a business or public or private nonprofit organization, who
 - (1) Works without financial remuneration in an educational institution to assist students or out-of-school youth, and
 - (2) Is beyond the age of compulsory school attendance in the state in which the educational institution is located.
3. **All Aspects of the Industry** (P.L. 105-332, Carl D. Perkins Vocational and Technical Act of 1998) means strong experience in, and comprehensive understanding of, the industry that the individual is preparing to enter.
4. **Alternate Plan** (*N.J.A.C.* 6A:19, NJDOE) means an educational plan prepared by the district board of education responsible for the student, and shall include educational activities in place of the on-the-job training portion of cooperative vocational-technical education during a temporary period of unemployment.
5. **Apprentice** (*N.J.A.C.* 6A:8, NJDOE) means an employee of legal working age [*16 years old minimum age*] who meets the qualifications established by the apprentice sponsor and who is employed under a written agreement [*apprenticeship agreement/joint approval*] which provides that related training and on-the-job experience received are in accordance with approved standards of apprenticeship established by the U.S. Department of Labor and the Equal Employment Opportunity in Apprenticeship and Training Act (29 CFR §§ 29.29 and 29.30), and is in conformance with the Core Curriculum Content Standards.

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6. **Apprenticeship Agreement/Joint Approval** (*N.J.A.C. 6A:19-1.2*, NJDOE) means a written training agreement between an apprentice and an apprentice sponsor in accordance with approved standards of apprenticeship, as established by the U.S. Department of Labor and the Equal Employment Opportunity in Apprenticeship and Training Act (29 C.F.R. §§ 29.29 and 29.30) and in conformance with the Core Curriculum Content Standards (*N.J.A.C. 6A:8-2*). This agreement includes the components of the training and is signed by the apprentice, apprentice sponsor, apprentice coordinator, the commissioner [*of education*] and the Federal Bureau of Apprenticeship and Training representative.
7. **Apprenticeship Ratio** (National Apprenticeship Act, 29 CFR Title 29, USDOL) means the numeric ratio of apprentices to journeymen [*workers*] consistent with proper supervision, training, safety, and continuity of employment, and applicable provisions in collective bargaining agreements, except where such ratios are expressly prohibited by the collective bargaining agreements. The ratio language shall be specific and clear as to application in terms of jobsite, work force, department or plant.
8. **Apprentice Sponsor** (*N.J.A.C. 6A:19-1.2*, NJDOE) means an employer who is party to a written training agreement with an apprentice that includes the components of the training in accordance with approved standards of apprenticeship, as established by the U.S. Department of Labor and the Equal Employment Opportunity in Apprenticeship and Training Act (29 CFR. §§ 29.29 and 29.30) and in conformance with the Core Curriculum Content Standards (*N.J.A.C. 6A:8-2*).
9. **Apprentice Training** (*N.J.A.C. 6A:19-1.2*, NJDOE) means an employer-sponsored training program in which apprentices learn a skilled trade or technical occupation that is clearly identified and commonly recognized throughout an industry, and that is customarily learned in a practical way through a structured, systematic program of on-the-job supervised training. Apprentice training involves manual, mechanical or technical skills and knowledge that requires a minimum of 2000 hours of on-the-job work experience, with the precise number of hours depending on the complexity of the occupation, and requires related theoretical instruction to supplement the on-the-job training. Apprentice training programs are registered with the Department and the U.S. Department of Labor, Bureau of Apprenticeship and Training, in compliance with 29 C.F.R. §§ 29.29 and 29.30.
10. **Apprenticeable Occupation** (National Apprenticeship Act, 29 CFR Title 29, USDOL) means a skilled trade which possesses all of the following characteristics:
 - (1) It is customarily learned in a practical way through a structured, systematic program of on-the-job supervised training.
 - (2) It is clearly identified and commonly recognized throughout an industry.
 - (3) It involves manual, mechanical or technical skills and knowledge which require a minimum of 2,000 hours of on-the-job work experience.
 - (4) It requires related instruction to supplement the on-the-job training.

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11. **Business Professionals of America (BPA)** (Career and Technical Student Organizations, USED-OVAE). The mission of Business Professionals of America is to contribute to the preparation of a world-class workforce through the advancement of leadership, citizenship, academic, and technological skills. Also see Vocational Student Organizations. (<http://www.bpa.org/>)
12. **Career and Technical Student Organizations** (Career and Technical Student Organizations, USED-OVAE) see Vocational Student Organizations.
13. **Career Awareness and Exploration** (*N.J.A.C.* 12:56-18.1, NJDOL) means a structured school program that enables student learners to
 - (1) Develop awareness of the many employment opportunities available;
 - (2) Develop awareness of the relevant factors to be considered in making career decisions;
 - (3) Become familiar with occupational clusters and classifications;
 - (4) Explore key occupational areas and assess their own interests and abilities; and
 - (5) Develop tentative occupational plans and arrive at a tentative career choice.
14. **Career Cluster** (*N.J.A.C.* 6A:9-2.1, NJDOE) means one of the vocational-technical program areas recognized nationally and by the New Jersey Department of Education. These include
 - Agriculture, Food and Natural Resources
 - Architecture and Construction
 - Arts, A/V Technology and Communications
 - Business, Management and Administration
 - Education and Training
 - Finance
 - Government and Public Administration
 - Health Science
 - Hospitality and Tourism
 - Human Services
 - Information Technology
 - Law, Public Safety and Security
 - Manufacturing
 - Marketing, Sales and Service
 - Science, Technology, Engineering and Mathematics
 - Transportation, Distribution and Logistics
15. **Career Guidance and Academic Counseling** (*N.J.A.C.* 6A:19-1.2, NJDOE) means providing access to information regarding career awareness and planning with respect to an individual's occupational and academic future, including guidance and counseling about career options, financial aid and postsecondary education options.
16. **Career Ladders** (P.L. 103-239, The School-to-Work Opportunities Act) means that within each large [*economic*] sector that each produce a unique set of goods and services, there are a

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wide variety of entry-level or more advanced career opportunities that require different responsibilities and different types of skills. Individuals typically enter their selected jobs at levels that correspond to their present knowledge and ability and advance in their careers by securing additional training and on-the-job experience over time.

17. **Career Orientation Education** (*N.J.A.C. 6A:19-1.2*, NJDOE) means programs which assist students to clarify career goals, explore career possibilities, develop employability skills and make the transition between school and work.
18. **Certificates of Completion of Apprenticeship** (Apprenticeship In New Jersey, NJDOE). Upon successful completion of both the on-the-job training and the related classroom instruction, graduating apprentices in New Jersey receive two Certificates of Completion of Apprenticeship Training. Graduating apprentices receive one Certificate of Completion from the federal Bureau of Apprenticeship and Training, indicating that the apprentice has successfully completed the OJT training component of the apprenticeship program. They also receive a second Certificate of Completion from the New Jersey Department of Education, indicating the apprentice has successfully completed the related classroom instruction component of the apprenticeship. Certificates of Completion are portable, meaning that they are recognized throughout an industry because registered apprenticeship training programs are based on nationally recognized industry standards.
19. **Clinical Experience** see Internship.
20. **Community-Based Agency** (P.L. 106-170, National and Community Service Act) means a private, non-profit organization (including a church or other religious entity) that
 - (1) Is representative of the community or a significant segment of the community; and
 - (2) Is engaged in meeting human, educational, environmental, or public safety community needs.
21. **Community Based Instruction (CBI)** (Office of Specialized Populations, NJDOE) means an instructional method involving the use of sustained and repeated instructional activities that takes place in various natural community environments outside of the school building in order to facilitate skill development and generalization. CBI goals are directly related to objectives written in the students' Individual Educational Programs (IEPs), and therefore, they reflect the individual needs of each student. CBI is designed for students that need systematic instruction in functional and daily living skills. CBI domains include
 - (1) **Vocational:** Students learn about community workers, go on vocational field trips, and participate in on-campus as well as off-campus career exploration. They also learn related employability skills such as being on time; staying on task; following rules and instructions; and other skills related to work. The student is not paid nor does he/she provide benefit or advantage to the employer. Students will earn high school credits towards graduation. Students need to go beyond the classroom and into the community to develop their competence. Students need to have employability and specific vocational skills in order to gain a solid foundation upon which to build their skills.

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- (2) **Domestic:** Skill areas under this domain are self care, personal grooming, wellness and nutrition; and home care such as laundry, housekeeping, cooking and meal planning.
- (3) **Community:** Students learn about, and use, various transportation modes; and visit and utilize assorted places in the community including restaurants, libraries, shopping centers and malls, the post office, and convenience stores.
- (4) **Recreation and Leisure:** The focus of this domain is on learning how to utilize various public recreation options and to plan personal leisure time. Students also participate in recreational activities at places like the local parks, the YMCA, bowling alleys, movie theaters, amusement parks, and more.

Also see Community-Based Placement.

- 22. **Community-Based Organizations** (Job Training Partnership Act, Section 4, 29 U.S.C. 1503 (5)) means private nonprofit organizations which are representative of communities or significant segments of communities and which provide job training services. Included are organizations serving nonreservation Indians as well as tribal governments and Native Alaskan groups.
- 23. **Community-Based Placement** (The U.S. Departments of Labor and Education Statement of Principle) means that [*student placements in the community*] will be youth with physical and/or mental disabilities for whom competitive employment at or above the minimum wage level is not immediately obtainable and who, because of their disability, will need intensive on-going support to perform in a work setting. In addition,
 - (1) Participation will be for vocational exploration, assessment, or training in a community-based placement work site under the general supervision of public school personnel.
 - (2) Community-based placements will be clearly defined components of individual education programs developed and designed for the benefit of each student. The statement of needed transition services established for the exploration, assessment, training, or cooperative vocational education components will be included in the student's Individualized Education Program (IEP).
 - (3) Information contained in a student's IEP will not have to be made available; however, documentation as to the student's enrollment in the community-based placement program will be made available to the [*New Jersey*] Departments of Labor and Education. The student and the parent or guardian of each student must be fully informed of the IEP and the community-based placement component and have indicated voluntary participation with the understanding that participation in such a component does not entitle the student-participant to wages.
 - (4) The activities of the students at the community-based placement site do not result in an immediate advantage to the business. Also see Community-Based Instruction and Competitive Employment.
- 24. **Community-Based Service Program** (P.L. 106-170, National and Community Service Act) means a program that provides for meaningful human, educational, environmental, or public safety service by participants who shall be school-aged youth.

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25. **Community-Based Vocational Education** see Community-Based Instruction and Community-Based Placement.
26. **Community-Based Vocational Experience** see Community-Based Instruction and Community-Based Placement.
27. **Community-Based Vocational Instruction** see Community-Based Instruction and Community-Based Placement.
28. **Community-Based Vocational Program** see Community-Based Instruction and Community-Based Placement.
29. **Community-Based Vocational Training** see Community-Based Instruction and Community-Based Placement.
30. **Community Rehabilitation Program** (*N.J.A.C.* 12:45-1.2, NJDOL) means a program that provides directly, or facilitates the provision of, vocational rehabilitation services to individuals with disabilities and that provides, singly or in combination, for an individual with a disability to enable the individual to maximize opportunities for employment, including career advancement.
31. **Community Service Project** see National and Community Service Project.
32. **Competency** see Occupational Competency.
33. **Competency-Based Vocational Experience** see Community-Based Placement.
34. **Competitive Employment** (*N.J.A.C.* 12:45-1.2, NJDOL) means work
 - (1) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and
 - (2) For which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.
35. **Contextual Learning** (P.L. 103-239, The School-to-Work Opportunities Act) means learning that is designed to blend the teaching of skills and knowledge in a specific industry or occupational area, including the following:
 - (1) Instruction that imparts knowledge within the context in which it will later be used.
 - (2) Linking abstract concepts with real-life problems to enables students to personally test and prove academic theories via tangible, real-world applications.
 - (3) Stressing the development of authentic problem-solving skills.
36. **Cooperative Education** (*N.J.S.A.* 6A:19-1.2, NJDOE) means a component of a vocational-technical education program by which individuals receive work-based instruction through written cooperative arrangements between a district and employers. This instruction may

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include required academic courses and related vocational and technical education instruction, by alternation of study in school with paid employment in an occupational field. Such alternation shall be planned and supervised by the district and employer so that each contributes to the education and employability of the individual.

37. **Cooperative Vocational Education** see cooperative education.
38. **Core Curriculum Content Standards** (*N.J.A.C.* 6A:8, NJDOE) means statements adopted by the State Board of Education on May 1, 1996, and as thereafter revised by the State Board, which describe the knowledge and skills all New Jersey students are expected to acquire by the benchmark grades of four, eight, and 11-12. These standards, published by the New Jersey Department of Education as document PTM 1400.06, are established for the provision of a thorough and efficient education pursuant to *N.J.S.A.* 18A:7F-4 and as a basis for the evaluation of school districts in accordance with *N.J.A.C.* 6A:30-1.4. New Language Arts Literacy, Mathematics and Science standards were passed by the Board in 2002.
39. **Cross-Content Workplace Readiness Standards** (*N.J.A.C.* 6A:8, NJDOE) means statements adopted as an integral part of the Core Curriculum Content Standards, in accordance with *N.J.A.C.* 6:8-2.1(a) 3 and 4, by the State Board of Education, and published by the New Jersey Department of Education in document PTM 1400.06, which are infused across all academic content areas and address the knowledge and skills needed to prepare all students to maximize their ability to be self-sufficient and contributing members of society.
40. **DECA-An Association of Marketing Students** (Career and Technical Student Organizations, USED-OVAE) means a national association of marketing education students. The Association provides teachers and members with educational and leadership development activities to merge with the education classroom instructional program. Also see Vocational Student Organizations. (<http://www.deca.org/>)
41. **Disability** (*N.J.A.C.* 6A:8, NJDOE) means a physical or mental impairment that constitutes or results in a substantial impediment to employment.
42. **Eligible Age for Apprenticeship** (National Apprenticeship Act, 29 CFR Title 29, USDOL) means the minimum qualifications required by a sponsor for persons entering the apprenticeship program, with an eligible starting age not less than 16 years.
43. **Employee** (*N.J.S.A.* 12:56-2.1, NJDOL) includes any individual employed by an employer, except [*for students, student learners, trainees and volunteers*]. Also see Student, Student Learner, Trainee, and Volunteer.
44. **Employer** (*N.J.A.C.* 12:56-2.1, NJDOL) includes any individual, partnership, association, corporation or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee.

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45. **Employment Certificate** (*N.J.S.A. 34:2-21.1*, NJDOL), [*also known as working papers*], means a certificate granted by the issuing officer [*school district staff person*] authorizing the employment of a child [*student under the age of 18*] as permitted under this act.
46. **Employment of Individuals With Disabilities** (*N.J.A.C. 12:56-9.1*, NJDOL) includes the following:
- (1) **Individual With Disability** means an individual whose earning capacity is impaired by a physical or mental disability and who is being served or eligible to be served in accordance with the recognized rehabilitation program of a sheltered workshop, education institution, or other program of rehabilitation approved by the New Jersey Commissioner of Labor.
 - (2) **Sheltered Workshop** means a charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age, physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature.
47. **Employment Placement Standards** (*N.J.A.C. 6A:19*, NJDOE) means the following:
- A. Vocational-technical students [*meeting*] the following categories will be considered employment placements:
 - (1) Vocational-technical students who have been placed full-time in the occupation or related field in which they were trained;
 - (2) Vocational-technical students who have passed occupational competency tests for entry level employment skills and have entered the military service;
 - (3) Vocational-technical students entering full-time postsecondary education in the program area or related field in which they were trained;
 - (4) Special needs students who have met alternative assessments for occupational competencies or Individualized Education Program (IEP) assessments established by the district board of education;
 - (5) Vocational-technical students who are employed a minimum of 20 hours per week in the occupation or related field in which they were trained and who are enrolled in postsecondary education for a minimum of 12 credit hours per academic year in the program area or related field in which they were trained; and
 - (6) Vocational-technical students who are employed part-time an average of 20 hours per week or more in the occupation or related field in which they were trained.
 - B. Vocational-technical students not considered placements include:
 - (1) Vocational-technical students who are unemployed;
 - (2) Vocational-technical students who work fewer than 20 hours per week; and
 - (3) Vocational-technical students who are employed in an occupation or field not related to their training.
 - C. All other students shall not be included in calculations for job placements.

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48. **Family, Career, and Community Leaders of America (FCCLA)** (Career and Technical Student Organizations, USED-OVAE) means a vocational student organization for young men and women in family and consumer sciences education in public and private school through grade 12. Also see Vocational Student Organizations. (<http://www.fcclainc.org/>)
49. **FFA** see **National FFA**.
50. **Future Business Leaders of America-Phi Beta Lambda (FBLA-PBL)** (Career and Technical Student Organizations, USED-OVAE) means an organization of young people preparing for success as leaders in business, government, and the community. Also see Vocational Student Organizations. (<http://www.fbla-pbl.org/>)
51. **General Occupational Skills** (P.L. 101-392, The Carl D. Perkins Vocational and Applied Technology Education Act of 1990, Sec. 521) means experience in and understanding of all aspects of the industry the learner is preparing to enter, including planning, management, finances, technical and production skills, underlying principles of technology, labor and community issues and health, safety and environmental issues. Also see All Aspects of the Industry.
52. **Health Occupations Students of America (HOSA)** (Career and Technical Student Organizations, USED-OVAE) means a student organization whose mission is to promote career opportunities in health care and to enhance the delivery of quality health care to all people. Also see Vocational Student Organizations. (<http://www.hosa.org/>)
53. **IEP Team** (*N.J.A.C.* 6A:14-1.3, NJDOE) means the group of individuals who are responsible for the development, review and revision of the student's individualized educational program (IEP). The members of IEP team are listed at *N.J.A.C.* 6A:14-2.3(i)2.
54. **Individualized Education Program (IEP)** (*N.J.A.C.* 6A:14-1.3, NJDOE) means a written plan developed at a meeting according to *N.J.A.C.* 6A:14-2.3(i)2 which sets forth present levels of performance, measurable annual goals and short-term objectives or benchmarks and describes an integrated, sequential program of individually designed instructional activities and related services necessary to achieve the stated goals and objectives. This plan shall establish the rationale for the student's educational placement, serve as the basis for program implementation and comply with the mandates set forth in this chapter.
55. **Individual With Disability** (*N.J.A.C.* 12:56-9.1, NJDOL) means an individual whose earning capacity is impaired by a physical or mental disability and who is being served or eligible to be served in accordance with the recognized rehabilitation program of a sheltered workshop, education institution, or other program of rehabilitation approved by the New Jersey Commissioner of Labor.
56. **Incidental** (*N.J.A.C.* 12:56-18.1, NJDOL) means any irrelevant, occasional productive work which is not part of achieving learning objectives [*during a student's structured learning experience taking place at a work site*].

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57. **In-School Work Experience** (Guidelines for Community-Based Instruction) means, for students with disabilities, a work experience that

- (1) Occurs directly for the school district;
- (2) The time period must not exceed one hour on the average per school day; and
- (3) Work completed for an outside vendor within the school must meet Department of Labor regulations regardless of length of work.

Many school districts contract with outside vendors such as bus transportation, school lunches and janitorial services. Students working with outside vendors within the school must follow the New Jersey Department of Labor regulations, and is not considered an In-School Work Experience and are entitled to at least minimum wages.

58. **Internship** (*N.J.A.C. 12:56-18.1*, NJDOL) means a program of study for a student which includes supervised practical training.

NOTE: Internships may be paid or unpaid structured learning experiences and may occur in hazardous and non-hazardous occupations, as per NJDOE and NJDOL requirements.

59. **Issuing Officer** (*N.J.S.A. 34:2-21.1*, NJDOL) means any superintendent of schools, supervising principal, or teacher in a school district who is designated by the board of education in the district to issue [*employment*] certificates [*also known as working papers*] or permits in accordance with the provisions of *N.J.S.A. 34:2-21.1*. Also see Employment Certificates.

60. **Job Coaching/On Site Training** (Office of Specialized Populations, NJDOE) means the training of a supported employee by a designated individual. The job coach uses structured intervention techniques to help the supported employee learn to perform job tasks to the employer's specifications and to learn the interpersonal skills necessary to be accepted as a worker at the job site and in related community contacts. In addition to job-site training, job coaching includes related assessment, job development, counseling, advocacy, travel training and other services needed to maintain the employment of a supported employee. Examples of applied job coaching techniques include the following:

- (1) Specialized job placement following a thorough task analysis and matching the employment to the interests and strengths of the individual with a disability;
- (2) Intensive on-site instruction of the worker, coworkers, and supervisor based on situational assessment;
- (3) Continuous evaluations by collecting, recording and reporting data and modifying the job-site training as appropriate;
- (4) Advocating for the supported employee both at and away from the job; and
- (5) Proactive extended services at and away from the job site, as necessary to assist the worker to remain employed in the integrated labor market.

Also see Supported Employment.

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61. **Job Sampling** see Vocational Assessment.
62. **Job Shadowing** (*N.J.A.C. 12:56-18.1*, NJDOL) means the process by which a student determines by observation, interview and study the pertinent information related to an occupation. Information can include such factors as qualifications for employment, functions performed, necessary skills and knowledge, equipment and material used, and physical demands and working environment.
63. **Learning Plan** see Training Plan.
64. **Learning Experience** (Fair Labor Standards Act Advisor) means a [*structured learning*] experience at an employer's work site that includes all of the following elements [*and would therefore not be considered employment*]:
- (1) A planned program of job training and work experience for the student, appropriate to the student's abilities, which includes training related to pre-employment and employment skills to be mastered at progressively higher levels that are coordinated with learning in the school-based learning component and lead to the awarding of a skill certificate;
 - (2) The learning experience encompasses a sequence of activities that build upon one another, that increase in complexity and promote mastery of basic skills;
 - (3) The learning experience has been structured to expose the student to all aspects of an industry and promotes the development of broad, transferable skills; and
 - (4) The learning experience provides for real or simulated tasks or assignments which push students to develop higher-order critical thinking and problem-solving skills.
65. **Mentor** see Workplace Mentor.
66. **Mentoring** (P.L. 103-239, The School-to-Work Opportunities Act) means pairing a student with an individual over an extended period of time during which the individual helps the student master certain skills and knowledge the individual possesses, models workplace behavior, challenges the student to perform well and assesses the student's performance. Mentoring may be combined with other work-based learning activities, such as internships or on-the-job training.
67. **National and Community Service Project** (P.L. 106-170, National and Community Service Act) means any project, program or undertaking designed to provide, or assist in providing, activities or services to promote conservation, restoration or preservation of natural resources, open space of the environment, or the public health, education and welfare among the general population or segments of the population having identifiable needs or deficiencies.
68. **National FFA** (Career and Technical Student Organizations, USED-OVAE) means a vocational student organization that is an integral, intracurricular part of public agricultural instruction under the National Vocational Education Acts for agricultural education students. Also see Vocational Student Organizations. (<http://www.ffa.org/>)

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69. **Natural Jobs** (Understanding Options for Career Exploration, NJDOE) means jobs that students obtain on their own while attending school. Typically, work is done outside of school hours and students receive some compensation for their employment. Natural jobs vary in scope and often include positions associated with retail, food services, newspaper routes, child care, etc. These jobs may not necessarily be associated with the student's post-secondary career plans, but can be valuable in providing transferable work experience and development of Cross-Content Workplace Readiness Standards.

70. **Nominal Fee** (Fair Labor Standards Act, 29 CFR 553.106) means a nominal monthly or annual stipend or fee that an individual who volunteers to provide periodic services on a year-round basis may receive without losing volunteer status. A nominal fee is not a substitute for compensation and must not be tied to productivity. The following factors will be among those examined in determining whether a given amount is nominal:

- (1) The distance traveled and the time and effort expended by the volunteer;
- (2) Whether the volunteer has agreed to be available around-the-clock or only during certain specified time periods; and
- (3) Whether the volunteer provides services as needed or throughout the year.

Individuals do not lose their volunteer status if they receive a nominal fee from a public agency. Also see Volunteer Status.

71. **Nonprofit** (Individual With Disabilities In Education Act) as applied to a school, agency, organization or institution, means a school, agency, organization or institution owned and operated by one or more nonprofit organizations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

72. **Nontraditional Training and Employment** (*N.J.S.A.* 6A:19-1.2, NJDOE) means occupations or fields of work, including careers in computer science, technology, or other emerging high skill occupations, for which, nationally, individuals from one gender comprise less than 25 percent of the individuals employed in each such occupation or field of work.

73. **Occupation** (*N.J.S.A.* 12:56-2.1, NJDOL) means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

74. **Occupational Competencies** (*N.J.S.A.* 6A:19-1.2, NJDOE) means the essential elements of vocational programs, the knowledge and skills that students must master for employment in the fields of their choice.

75. **On Site Training** see Job Coaching/On Site Training.

76. **On-the-Job Training** (P.L. 101-157, Fair Labor Standards Act) means training that is offered to an individual while employed in productive work that provides training, technical and other related skills, and personal skills that are essential to the full and adequate performance of such employment.

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77. **Out-of-Pocket Expenses** see Training Expenses.

78. **Performance Assessment** (*N.J.A.C. 6A:14-1.3*, NJDOE) means demonstrations of what students know and can do, including such things as open-ended or constructed response questions, essays, portfolios of student work, projects, and reports of laboratory or work-based experiences.

79. **Practicum** (*N.J.A.C. 6A:9-2*, NJDOE) means a course of study designed especially for the preparation of educational services candidates that involves the practical application of previously studied theory under the supervision of college/university faculty. As part of the practicum, candidates write diagnostic and instructional reports.

80. **Project-Based Learning** (Cross Content Workplace Readiness Standards Framework, Chapter 2, NJDOE) means a teacher-guided learning activity designed to assist students in understanding self as the curriculum/lesson relates to the following:

- (1) Applying self as a learner to the situation;
- (2) Framing questions;
- (3) Tackling a project;
- (4) Working as part of a team;
- (5) Monitoring individual programs;
- (6) Selecting a career; and
- (7) Developing his/her skills and knowledge in order to be successful in a career choice.

NOTE: Project-based learning activities may take place in district or in a school-sponsored, external placement.

81. **Public Agency** (29 U.S.C. 201, et.seq., Fair Labor Standards Act) means the Government of the United States; the government of a State or political subdivision thereof; any agency of the United States, a State, or a political subdivision of a State, or any interstate governmental agency. The public agency definition does not extend to private companies that are engaged in work activities normally performed by public employees.

82. **Record of Employment of Minors Under 19** (*N.J.S.A. 34:2-21.6*, NJDOL.) Every employer shall keep a record, in a form approved by the New Jersey Department of Labor, which shall state the name, date of birth and address of each person under 19 years of age employed, the number of hours worked by said person on each day of the week, the hours of beginning and ending such work, the hours of beginning and ending meal periods, the amount of wages paid, and such other information as the department shall by regulation require. Such record shall be kept on file for at least one year after the entry of the record and shall be open to the inspection of the New Jersey Department of Labor, of attendance officers and of police officers. Nothing in this section shall apply to the employment of minors in agricultural pursuits, or in domestic service in private homes, or as newspaper boys [*girls*] as provided in this act.

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83. **Regular Hourly Wage** (*N.J.S.A.* 34:11-56, NJDOL) means the amount that an employee is regularly paid for each hour of work as determined by dividing the total hours of work during the week into the employee's total earnings for the week, exclusive of overtime premium pay.
84. **Related Instruction** (National Apprenticeship Act, 29 CFR Title 29, USDOL) means [*for apprenticeship programs*] an organized and systematic form of instruction designed to provide the apprentice with knowledge of the theoretical and technical subjects related to his/her trade.
85. **Related Services** (*N.J.A.C.* 6A:14-1.3, NJDOE) means transportation and such developmental, corrective, and other supportive services as are required to assist a student with a disability to benefit from special education as specified in the student's IEP, and includes speech-language pathology and audiology services, psychological services, physical and occupational therapy, recreation, early identification and assessment of disabilities in children, counseling services including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. The term also includes school nursing services, social work services in schools and parent counseling and training. These terms are defined according to 34 CFR §300.24, incorporated herein by reference, as amended and supplemented.
86. **Related Training** (*N.J.A.C.* 6A:19-1.2, NJDOE) means one or more courses in a school in which the apprentice or cooperative vocational education student acquires concepts, competencies, understanding and attitudes appropriate to training station assignments, occupational program areas and career objectives.
87. **School-Based Enterprise** (P.L. 103-239, The School-to-Work Opportunities Act) means [*school-based activities undertaken to*] assist students in developing the competencies needed to own and manage an enterprise/business. Students maintain complete and accurate records as they work at the enterprise site on a weekly basis.
88. **School-Sponsored Enterprise** (P.L. 103-239, The School-to-Work Opportunities Act) means the production of goods or services by students for sale to or use by others. School-sponsored enterprises typically involve students in the management of the project. Enterprises may be undertaken on or off the school site.
89. **School-to-Work Program** (*N.J.A.C.* 12:56-18, NJDOL) For *non-paid* activities the following conditions shall be met to allow for non-paid activities of students [*who are participating in school-sponsored, external, structured learning experiences*] at for profit and not-for-profit organizations:
- (1) The student shall be at least 16 years of age;
 - (2) The activity must be related to a formal school-to-work transition plan [*training plan*] for a student learner;
 - (3) There is collaboration and planning between worksite staff and school staff resulting in clearly identified learning objectives related to the non-paid activities;
 - (4) Any productive work is incidental to achieving learning objectives;

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- (5) The student receives credit for time spent at the worksite and the student is expected to achieve the learning objectives;
- (6) The student is supervised by a school official and a workplace mentor;
- (7) The non-paid activity is of a limited duration, related to an educational purpose and there is no guarantee or expectation that the activity will result in employment; and
- (8) The student does not replace an employee.

Also see Incidental.

90. **Senior Year Option** see 12th Grade Option.

91. **Service-Learning** (P.L. 106-170, National and Community Service Act) means a method

A. under which students or participants learn and develop through active participation in thoughtfully organized service that

- (1) Is conducted in and meets the needs of a community;
- (2) Is coordinated with an elementary school, secondary school, institution of higher education or community-services program and with the community; and
- (3) Helps foster civic responsibility; and

B. that

- (1) Is integrated into and enhances the academic curriculum of the students, or the education components of the community service program in which the participants are enrolled; and
- (2) Provides structured time for students or participants to reflect on the service experience.

92. **Service-Learning Coordinator** (P.L. 106-170, National and Community Service Act) means an individual who provide services to a local education agency by

- (1) Providing technical assistance and information to, and facilitating the training of, teachers who want to use service-learning in their classrooms;
- (2) Assisting local partnerships ... in the planning, development, and execution of service-learning projects; and
- (3) Carrying out such other duties as the local education agency may determine to be appropriate.

93. **Service-Learning Teaching Methods** (P.L. 106-170, National and Community Service Act) means combining academic instruction, meaningful service, and critical reflective thinking to enhance student learning and civic responsibility. Service-learning differs from community service or volunteerism in two distinct ways:

- (1) The service activity is integrated with academic curriculum and content.

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- (2) Students engage in structured reflection of their service experiences and apply their learning in real-life activities.

94. **Service Sponsor** (P.L. 106-170, National and Community Service Act) means an organization, or other entity, that has been selected to provide a placement [*for a service learning student or participant*].
 95. **Sheltered Workshop** (N.J.A.C. 12:56-9.1, NJDOL) means a charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age, physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature.
 96. **SkillsUSA/VICA** (Career and Technical Student Organizations, USED-OVAE) means a national organization serving high school and college students and professional members who are enrolled in technical, skilled, and service occupations, including health occupations. Also see Vocational Student Organizations. (<http://www.skillsusa.org/>)
 97. **Social Security Work Incentives** (Social Security Administration) means a program for Social Security Income (SSI) eligible, transition age students with disabilities who are participating in a [*community-based placement*]. The SSI program's work incentives, which are designed to increase students' overall income while engaging in employment during and after secondary education, include Student Earned Income Exclusion (SEIE); Impairment-Related Work Expense (IRWE); Plan for Achieving Self Support (PASS); and Blind Work Experience (BWI).
- NOTE:** Visit the Social Security Administration Website for a definition of SEIE, IRWE, PASS and BWI.
98. **Special Education** (N.J.A.C. 6A:14, NJDOE) means specially designed instruction at no cost to the parents, to meet the unique needs of students with disabilities according to 34 CFR §300.26, incorporated herein by reference as amended and supplemented.
 99. **Special Populations** (N.J.S.A. 6A:19-1.2, NJDOE) means
 - (1) Individuals with disabilities;
 - (2) Individuals from economically disadvantaged families;
 - (3) Foster children;
 - (4) Individuals preparing for nontraditional training and employment;
 - (5) Single parents, including single pregnant women;
 - (6) Displaced homemakers;
 - (7) Individuals with limited English proficiency;
 - (8) Students who are migrant workers or from migrant families; and
 - (9) Individuals with other barriers to educational achievement.
 100. **Stipend** see Nominal Fee and Training Expenses.

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101. **Structured Learning Experience (SLE)** (*N.J.A.C. 6A:19-1.2*, NJDOE) means experiential, supervised educational activities designed to provide students with exposure to the requirements and responsibilities of specific job titles or job groups, and to assist them in gaining employment skills and making career and educational decisions. A structured learning experience may be either paid or unpaid, depending on the type of activities in which the student is involved. All structured learning experiences must adhere to applicable State and Federal child labor laws and other rules of the State Departments of Education and Labor. Structured learning experiences may include, but are not limited to:

- (1) Apprenticeships;
- (2) Community service;
- (3) Cooperative education;
- (4) Internships;
- (5) Job shadowing;
- (6) School-based enterprises;
- (7) Volunteer activities;
- (8) Vocational student organizations; and
- (9) Work Experience Career Exploration Program (WECEP)

102. **Student** (Fair Labor Standards Act Advisor). Under the Fair Labor Standards Act, an individual who is enrolled in a [*school sponsored, external, structured learning experience*] would not be considered an employee if all of the following student criteria are met:

- (1) The student receives ongoing instruction at the employer's [*or agency's*] worksite and receives close on-site supervision throughout the learning experience, with the result that any productive work that the student would perform would be offset by the burden to the employer from the training and supervision provided;
- (2) The placement of the student at a worksite during the learning experience does not result in the displacement of any regular employee -- i.e., the presence of the student at the worksite cannot result in an employee being laid off, cannot result in the employer not hiring an employee it would otherwise hire, and cannot result in an employee working fewer hours than he or she would otherwise work;
- (3) The student is not entitled to a job at the completion of the learning experience -- but this does not mean that employers are to be discouraged from offering employment to students who might successfully complete the training; *and*
- (4) The employer, student, and parent or guardian understand that the student is not entitled to wages or other compensation for the time spent in the learning experience -- although the student may be paid a stipend [*training expenses*] for expenses such as books or tools.

103. **Student Learner** (*N.J.S.A. 12:58-1.2*, NJDOL) means a person who is

- (1) Enrolled in a course of study and training in a cooperative vocational training program under a recognized State or local educational authority or in a course of study in a substantially similar program conducted by a private school;
- (2) Between the ages of 16 years and 18 years of age;
- (3) Employed under a written agreement which provides that:

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- i. Work in a particularly hazardous occupation is incidental to the minor's training;
- ii. Work is intermittent and of short duration, and under the direct and close supervision of a qualified and experienced person; and
- iii. Safety instruction is given by the school and correlated by the employer with on-the-job training.

104. **Student With A Disability** (*N.J.A.C.* 6A-19, NJDOE) means a student who is eligible for special education and related services as set forth in N.J.A.C 6A:14 (Special Education Administrative Code).

105. **Supported Employment** (P.L. 99-506, Rehabilitation Act of 1973) means competitive work in integrated settings

- (1) For individuals with severe handicaps for whom competitive employment has not traditionally occurred, or
- (2) For individuals for whom competitive employment has been interrupted or intermittent as a result of a severe disability, and who, because of their handicap, need ongoing support services to perform such work.

Further defined, supported employment is paid competitive work that offers ongoing support services in integrated settings for individuals with the most severe disabilities. Supported employment is intended for individuals for whom competitive employment has not traditionally occurred or has been interrupted or intermittent as a result of a most severe disability. This employment outcome is obtained by providing intensive services and is sustained through the provision of extended services. The level of employment participation may be full or part-time based on the interests and abilities of the individual.

106. **Technical Education** (*N.J.S.A.* 6A:19-1.2, NJDOE) means a program of instruction that provides students with the skills and knowledge needed for employment or entry into post-high school education programs which require relatively complex and detailed information, considerable proficiency in college preparatory mathematics, and the extensive application of laboratory physical science.

107. **Technology Student Association (TSA)** (Career and Technical Student Organizations, USED-OVAE) means a national non-profit organization devoted exclusively to the needs of elementary, middle and high school students with a dedicated interest in technology. Also see Vocational Student Organization. (<http://www.tsaweb.org/>)

108. **Trainees** (*N.J.S.A.* 12:56-2.1, NJDOL) means individuals [*who*] are not employees [*because*] they are involved in a program in which [*meets the following criteria*]:

- (1) The training is for the primary benefit of the trainee;
- (2) The employment for which the trainee is training requires some cognizable trainable skill;

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- (3) The training is not specific to the employer, that is, is not exclusive to its needs, but may be applicable elsewhere for another employer or in another field of endeavor;
- (4) The training, even though it includes actual operation of the facilities of the employer, is similar to that which may be given in a vocational school;
- (5) The trainee does not displace a regular employee on a regular job or supplement a regular job, but trains under close tutorial observation;
- (6) The employer derives no immediate benefit from the efforts of the trainee and, indeed, on occasion may find his or her regular operation impeded by the trainee;
- (7) The trainee is not necessarily entitled to a job at the completion of training;
- (8) The training program is sponsored by the employer, is outside regular work hours, the employee does no productive work while attending and the program is not directly related to the employee's present job (as distinguished from learning another job or additional skill); and
- (9) The employer and the trainee share a basic understanding that regular employment wages are not due for the time spent in training, provided that the trainee does not perform any productive work.

If a trainee does not meet all of the above-listed criteria, the trainee shall be considered to be an employee.

109.Training Expenses (Fair Labor Standards Act, 29 CFR 553.106) means employer reimbursements for trainee expenses, including transportation costs, books, materials, supplies, uniforms, food, [*and tools*] for private individuals who volunteer services to public agencies. Also see Volunteer and Volunteer Status.

NOTE: Training expenses are not a substitute for compensation and must not be tied to productivity.

110.Training Plan (*N.J.A.C.* 6A:19, NJDOE) means a plan that identifies training site experiences, program objectives, individual responsibilities and measurable outcomes. The training of all students shall be developed with a training plan. Also see Structured Learning Experiences.

NOTE: All structured learning experiences must be accompanied by a training plan.

111.Transition Plan (*N.J.A.C.* 6A:14-1.3, NJDOE) means a plan that includes long-term goals and short-term objectives, timelines, measurable expected outcomes and identification of persons who are responsible for teaching and monitoring the plan to ensure that the goals and objectives are met. This plan should be written as part of the Individual Education Program (IEP) and not as a separate document. The secondary age IEP is a transition plan.

112.Transition Services (*N.J.A.C.* 6A:14-1.3m, NJDOE) means a coordinated set of activities for a student, designed within an outcome-oriented process, that promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. Transition services for

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students with disabilities may be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education.

113. **Twelfth Grade Options** see 12th Grade Options.

114. **Vocational Assessment** (Meeting the Needs of Youth with Disabilities) means a component of [*community-based instruction*] which helps determine individual training objective for students with a disability. In this component, the student undertakes work assignments in various settings [*job sampling*] under the direct supervision of school personnel and employees. Assessment data are systemically collected concerning the student's interest, aptitudes, special needs, learning styles, work rotates among various work settings corresponding to the student's range of employment preferences as situational assessments are completed by school personnel and assessment site employees. As a result, students select work settings in which they can best pursue career or occupational areas matching their interest and aptitudes. Future training objectives are matched with these selections. These training objectives become a part of the student's subsequent IEP. Also see Community-Based Instruction.

115. **Vocational-Technical Education for Life Skills and Paid Employment** (*N.J.A.C. 6A:19, NJDOE*) means the following:

- (1) Instruction related to paid employment in the career or careers for which the students are being trained;
- (2) Classroom related academic and technical instruction, field, shop, laboratory instruction, structured learning experience, apprenticeship or other occupational experiences;
- (3) Instruction provided for employment or instruction designed to upgrade or update workers in occupational skills and knowledge in order to enhance stability or upward mobility in employment;
- (4) Remedial or other instruction designed to correct educational deficiencies or accommodate disabilities which prevent secondary school students from benefiting from instruction designed to teach technical competencies in occupations; and
- (5) Instruction in life-skills that will help students achieve personal and professional goals and help them engage effectively as productive citizens in their communities.

116. **Vocational Exploration** (Meeting the Needs of Youth with Disabilities) means a component of [*community-based instruction*] that exposes student briefly to a variety of work settings to help them make decisions about future career directions or occupations. The exploration process involves investigating interests, values, beliefs, strengths and weaknesses in relation to the demands and characteristics of work environments. Through vocational exploration, students gain information watching work being performed, talking with employees, and actually trying out work under direct supervision of school personnel. Exploration enables students to make choices regarding career or occupational areas they wish to pursue. Also see Community-Based Instruction.

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117. **Vocational Student Organizations (VSO)** (*N.J.A.C. 6A:19-1.2*, NJDOE) means those organizations for students enrolled in vocational-technical education programs which engage in activities as integral parts of the appropriate instructional programs. Such organizations may have State and national units which complement the development of leadership and career-related competencies in vocational-technical education at the local level. VSOs include DECA, FBLA-PBA, FFA, FCCLA, HOSA, TSA, and SkillsUSA-VICA.
118. **Vocational-Technical Education** (*N.J.A.C. 6A:9-2.1*, NJDOE) means an organized educational program that offers a sequence of courses that provides individuals with the academic and technical knowledge and skills that individuals need to prepare for further education and for careers in current or emerging employment sectors.
119. **Vocational Training** (Meeting the Needs of Youth with Disabilities) means a component of [*community-based instruction*] which places the student in various employment work experiences. The student, parents, and school personnel develop a detailed, written training plan which includes the competencies to be acquired, method(s) of instruction, and procedures for evaluating the training experience. Training is closely supervised by a representative of the school or a designated employee/supervisor. The purpose of this component is to enable students to develop the competencies and behavior needed to secure paid employment. As the student reaches the training objectives in a particular employment setting, the student moves to other employment environments where additional related learning or reinforcement of current competencies and behavior can occur. Also see Community-Based Instruction.
120. **Vocational Work Study** see Work Study.
121. **Volunteer** (*N.J.A.C. 12:56-2.1*, NJDOL) means a person who donates his or her service for the protection of the health and safety of the general public. Such a person would include, among others, a volunteer fire fighter, rescue worker, and aide in the care of the sick, aged, young, mentally ill, destitute and the like or assistant in the religious, eleemosynary, educational, hospital, cultural and similar activities.

Also, the Fair Labor Standards Act Advisor defines individuals who volunteer or donate their services, usually on a part-time basis, for public service, religious or humanitarian objectives, not as employees and without contemplation of pay, are not considered employees of the religious, charitable or similar non-profit organizations that receive their service.

Under the Fair Labor Standards Act, employees may not volunteer services to for-profit private sector employers. On the other hand, in the vast majority of circumstances, individuals can volunteer services to public sector employers [public agency]. When Congress amended the Fair Labor Standards Act in 1985, it made clear that people are allowed to volunteer their services to public agencies and their community with but one exception - public sector employers may not allow their employees to volunteer, without compensation, additional time to do the same work for which they are employed. There is no prohibition on anyone employed in the private sector from volunteering in any capacity or line of work in the public sector.

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122. Volunteer Status (29CFR 553.106, Fair Labor Standards Act) [*Individuals volunteering for state and local governments will retain their status as a volunteer and will not be considered employees if they receive from the employer or agency expenses, fees, or benefits that meet the following conditions*]:

- (1) Volunteers may be paid expenses, reasonable benefits, a nominal fee, or any combination thereof, for their service without losing their status as volunteers.
- (2) An individual who performs hours of service as a volunteer for a public agency may receive payment for expenses without being deemed an employee for purposes of the Fair Labor Standards Act. A school guard does not become an employee because he or she receives a uniform allowance, or reimbursement for reasonable cleaning expenses or for wear and tear on personal clothing worn while performing hours of volunteer service. (A uniform allowance must be reasonably limited to relieving the volunteer of the cost of providing or maintaining a required uniform from personal resources.) Such individuals would not lose their volunteer status because they are reimbursed for the approximate out-of-pocket expenses incurred incidental to providing volunteer services, for example, payment for the cost of meals and transportation expenses.
- (3) Individuals do not lose their status as volunteers because they are reimbursed for tuition, transportation and meal costs involved in their attending classes intended to teach them to perform efficiently the services they provide or will provide as volunteers. Likewise, the volunteer status of such individuals is not lost if they are provided books, supplies, or other materials essential to their volunteer training or reimbursement for the cost thereof.
- (4) Individuals do not lose their volunteer status if they are provided reasonable benefits by a public agency for which they perform volunteer services.
- (5) Benefits would be considered reasonable, for example, when they involve inclusion of individual volunteers in group insurance plans (such as liability, health, life, disability, workers' compensation) or pension plans or "length of service" awards, commonly or traditionally provided to volunteers of State and local government agencies, which meet the additional test in paragraph (f) of this section.
- (6) Individuals do not lose their volunteer status if they receive a nominal fee from a public agency. A nominal fee is not a substitute for compensation and must not be tied to productivity. However, this does not preclude the payment of a nominal amount on a "per call" or similar basis to volunteer firefighters. The following factors will be among those examined in determining whether a given amount is nominal:
 - The distance traveled and the time and effort expended by the volunteer;
 - whether the volunteer has agreed to be available around-the-clock or only during certain specified time periods;
 - and whether the volunteer provides services as needed or throughout the year.
- (7) An individual who volunteers to provide periodic services on a year-round basis may receive a nominal monthly or annual stipend or fee without losing volunteer status.
- (8) Whether the furnishing of expenses, benefits, or fees would result in individuals' losing their status as volunteers under the Fair Labor Standards Act can only be determined by examining the total amount of payments made (expenses, benefits, fees) in the context of the economic realities of the particular situation.

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123. **Wages** (*N.J.S.A.* 34:11-56, NJDOL) means any monies due an employee from an employer for services rendered or made available by the employee to the employer as a result of their employment relationship including commissions, bonus and piecework compensation and including any gratuities received by an employer to an employee.
124. **Wage Schedule** (National Apprenticeship Program, 29 CFR Title 29, USDOL) means [*for apprenticeship training*] a progressively increasing schedule of wages to be paid the apprentice consistent with the skill acquired. The entry wage shall be not less than the minimum wage prescribed by the Fair Labor Standards Act, where applicable, unless a higher wage is required by other applicable Federal law, State law, respective regulations, or by collective bargaining agreement.
125. **Work-Based Instruction** see Cooperative Education.
126. **Work-Based Learning** see Structured Learning Experience.
127. **Work Experience Career Exploration Program (WECEP)** (*N.J.A.C.* 6A:19-1.2, NJDOL) means a school-to-career or college transition program designed for at-risk students who have experienced substantial difficulties with a standard classroom environment and schedule. Pursuant to the requirements of 29 C.F.R. Part 570, the program allows for the employment of minors between the ages of 14 and 16 in a school supervised, school administered work experience program for up to 23 hours per week, when school is in session, and for no more than three hours in any one day. Indicators of program success include number of participants, academic improvement, improvement in attendance and retention in school beyond the age of 16.
128. **Work Hours** (*N.J.A.C.* 2:56-2.1, NJDOL) means the actual hours suffered or permitted to work.
129. **Working Papers** see Employment Certificate.
130. **Work Process** (National Apprenticeship Act, 29 CFR Title 29, USDOL) means an outline of the work processes [*occupational skills*] in which the apprentice will receive supervised work experience and training on the job [*as part of an apprenticeship program*], and the allocation of the approximate time to be spent in each major process [*occupational skill area*].
131. **Work Study** (*N.J.A.C.* 6A:19, NJDOE) This term been eliminated by the New Jersey State Board of Education because that term has been widely misinterpreted and because the concept of vocational work study has been superseded by [*structured learning experiences*] and cooperative education programs. Also see Structured Learning Experiences.
132. **Workplace Mentor** (P.L. 103-239, The School-to-Work Opportunities Act) means an employee or other individual, approved by the employer at a workplace, who possesses the skills and knowledge to be mastered by a student and who instructs the student, critiques the performance of the student, challenges the student to perform well and works in consultation with classroom teachers and the employer of the student.

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III. RESOURCES

- **New Jersey Model Agreement for Unpaid Structured Learning Experiences**

This form may be used for the following unpaid placements as defined in Section II: 12th grade options, job shadowing, school-based enterprise, service learning, school-to-work activities, sheltered workshops, vocational assessment, vocational-technical education for life skills and paid employment, vocational exploration, and volunteering.

Link to Unpaid Structured Learning Experience Form:

http://www.nj.gov/njded/voc/mod_agr.pdf

- **New Jersey Model Agreement for Paid Structured Learning Experiences**

This form may be used for the following paid placements as defined in Section II: 12th grade options, career exploration experiences, community-based instruction, community-based placements, career orientation education, community-based service, community rehabilitation programs, in-school work experience, project-based learning, school-based enterprise, school-to-work activities, service learning, sheltered workshops, Social Security work incentives, supported employment, vocational assessment, vocational exploration, vocational-technical education for life skills and paid employment, vocational training, and work experience career exploration programs.

NOTE: This form may not be used for apprenticeships, cooperative education programs, placements in hazardous occupations of any kind, internships or other placements that are a part of a vocational-technical education program.

Link to Paid Structured Learning Experience Form: (TBA)

- **New Jersey Model Agreement for Vocational Technical Education Programs/Cooperative Education**

This form may be used for the following hazardous/non-hazardous paid placements, as defined in Section II: apprenticeships, cooperative education, and internships.

Link To Cooperative Education Form: (TBA)

- **New Jersey Model Check List for Supervising All Structured Learning Experiences**

This form may be used by districts to document the on-site supervision of students placed into all structured learning experiences as defined in Section II:.

Link to Model Check List: http://www.nj.gov/njded/voc/unpaid_sle.pdf

NOTE: Additional Resources Will Be Added.